

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference GP10006-PC	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/KR 2004/002367	International filing date (day/month/year) 16 September 2004 (16.9.2004)	Priority Date (day/month/year) 19 September 2003 (19.09.2003)
International Patent Classification (IPC) or national classification and IPC IPC⁸: H04L 12/16 (2006.01); H04L 12/28 (2006.01); G06F 7/00 (2006.01)		
Applicant INIMAX CO., LTD.		

1. This international preliminary examination report has been prepared by this International Preliminary Examination Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I. ☒ Basis of the opinion
- II. ☐ Priority
- III. ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV. ☐ Lack of unity of invention
- V. ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI. ☐ Certain documents cited
- VII. ☐ Certain defects in the international application
- VIII. ☐ Certain observations on the international application

Date of submission of the demand 18 April 2005 (18.04.2005)	Date of completion of this report 1 February 2006 (01.02.2006)
Name and mailing address of the IPEA/AT Austrian Patent Office Dresdner Straße 87 A-1200 Vienna Facsimile No. 1/53424/200	Authorized officer ENGLISCH M. Telephone No. 1/53424/565

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I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed

☐ the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____.

☐ the claims:

pages _____, as originally filed

pages _____, as amended (together with any statement) under Article 19

pages _____, filed with the demand

pages _____, filed with the letter of _____.

☐ the drawings:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____.

☐ the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in printed form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____.

☐ the claims, Nos. _____.

☐ the drawings, sheets/fig _____.

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as „originally filed“ and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement			
Novelty (N)	Claims	1-18	YES
	Claims	---	NO
Inventive step (IS)	Claims	11-13, 15	YES
	Claims	1-10, 14, 16-18	NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims	----	NO

Citations and explanations (Rule 70.7)

The following documents have been cited in the Search Report:

D1: US6081845 A
D2: US5708654 A
D3: EP0833485 A1

D1 features an address resolution protocol (ARP) server that controls communication between devices of a predetermined network by informing a calling terminal about an address to be used in communication with a receiving terminal according to various criteria, e.g. date and time, bandwidth or the like.

The present application features a communication control method wherein a device receives a manipulated data link layer address as a response to an ARP packet according to a set of communication rules. Considered novel is the fact that the transmission of an address chosen according to a certain rule is used to restrict communication between devices, but the choosing of an address to be transmitted as a response to an ARP request according to certain rules is shown in D1.

Accordingly, all relevant features of claims 1 to 2 and 18 are obvious to a person skilled in the art with respect to D1 and therefore do not involve an inventive step. The subject-matter of claims 3, 4, 14 and 16 to 17 are also considered obvious.

D2 shows a method in a LAN test instrument for detecting proxy ARP agents and misconfigured routers in a LAN. The LAN test instrument will typically compile a data base containing entries, with each entry containing a MAC and IP address pair corresponding to the devices on the LAN, typically through passive monitoring of traffic on the LAN and through active network requests to the devices on the LAN.

The present application features a communication control method wherein a step of collecting addresses is performed by the communication control apparatus, which

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Box V (page 1)

receives an ARP packet broadcast by a device in the network and detects a network layer address and a data link layer address. Alternatively, the addresses are collected by listening to ARP response packets after sending an ARP request packet to a device in the network.

Therefore, the subject-matter of claims 5 to 10 do not involve an inventive step when D2 is combined with D1.

D3 features network communication using the address resolution protocol (ARP) in detail. However, it does not show the use of ARP for the restriction of communication between devices in a network and therefore merely represents the prior art.

The subject-matter of the present application is considered novel because none of the cited documents show all the relevant features of the present application. Due to the cited documents, claims 1 to 4, 5 to 10, 14 and 16 to 18 do not involve an inventive step.

Industrial applicability is given.